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EIGHTY-SECOND LEGISLATURE

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H. P. No. 900

H. D. No. 227

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House of Representatives, Feb. 25, 1925.

Tabled pending Reference by Mr. Curtis of Brewer and 500  
copies ordered printed.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Piper of Jackman.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-FIVE

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AN ACT to Inflict Capital Punishment for Murder.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. Chapter one hundred twenty of the revised  
2 statutes is hereby amended by striking out the whole of  
3 section one thereof, and inserting in place thereof the fol-  
4 lowing, so that said section as amended, shall read as follows:

'Section 1. I. Murder is the unlawful killing of a human  
2 being with malice aforethought, either express or implied.

'II. When murder is committed with express malice afore-  
2 thought, or in perpetrating or attempting to perpetrate a  
3 crime punishable by death, or imprisonment for life, or for  
4 an unlimited term of years, it shall be deemed murder of  
5 the first degree and punished with death.

'III. When murder is committed otherwise than is set forth in the preceding section, it shall be deemed murder of the second degree, and punished by imprisonment for life.

'IV. The jury, finding a person guilty of murder, shall find whether he is guilty of murder in the first or second degree. When a person is found guilty of murder by confession in open court, the court, from testimony, shall determine the degree of murder, and sentence accordingly.'

Sect. 2. All acts or parts of acts inconsistent herewith, are hereby repealed.